

## **Remarks**

The Final Office Action dated March 22, 2007 has been received and carefully noted. Claims 1-16 were examined. The Examiner objected to Figure 1. Claims 14-16 were rejected under 35 U.S.C. § 101 as being directed to non statutory subject matter. Claims 1-7 and 11-16 were rejected under 35 U.S.C. § 102 and claims 8-10 were rejected under 35 U.S.C. § 103.

Claims 1, 5, 8, 11 and 14 have been amended and claims 17- 20 have been added. Entry is requested for all these claims. Support for these amendments and additions can be found in the specification, for example, at page 5, paragraph 0026; page 5, paragraph 0015; page 6, paragraph 0017 and page 8, paragraph 0022. No new matter has been added or the scope expanded. Claims 1-20 remain pending in the application.

Reconsideration of the pending claims is respectfully requested in view of the amendments and the following remarks.

### **I. Objection to drawings**

The Examiner has objected to Figure 1 and requested that it be designated as prior art. The Examiner states that “only that which is old is illustrated.” The Applicant respectfully disagrees. Figure 1 includes elements which the Applicant believes are novel and non- obvious. To better clarify this point, the Applicant has chosen to amend the specification to describe the elements to clarify that hub 107 of FIG. 1 incorporates elements that are not old. These elements are also described in more detail in other sections of the specification from which the added description of FIG. 1 has been drawn. No new matter has been added. Therefore, reconsideration and withdrawal of the objection to FIG. 1 are requested.

### **II. Claims Rejected Under 35 U.S.C. § 101**

In the outstanding action, the Examiner rejects claims 14-16 under 35 U.S.C. § 101 alleging that the claims are directed to a non statutory subject matter (*Office Action, Page 2*) and points to “radio frequency link” in the examples for machine readable medium as the basis for the rejection. The Applicant has amended the specification to remove this example. The

Applicant respectfully submits that the claims are now in compliance with 35 U. S. C. §101 and respectfully requests reconsideration and withdrawal of the rejection of claims 14-16.

### **III. Claims Rejected Under 35 U.S.C. § 102**

Claims 1-7 and 11-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Publication No. 2004/0148480 by Watt et al. (hereinafter “*Watt*”). A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *MPEP* § 2131. The Applicant respectfully submits that each and every element in the independent claims is not set forth in the cited reference.

With regard to amended claim 1, it includes the limitation “preventing a read of the pointer from the known location by any operating system supported process, permanently.” *Watt* discloses an apparatus for processing data and consists of a processor that can be operated in plurality of modes such as a secure and a non secure mode. (*Page 1, para. [0009]*.) While operating in a secure mode, programs have “access to secure data which is not accessible when the processor is in a operating in a non-secure mode.” (*Page 1, para. [0013]*.) Similarly, non secure data is directly accessible when the processor is in the non-secure, mode, monitor mode and in secure mode. (*Page 12, para. [0251]*.) Thus, every memory address in *Watt* is directly accessible in at least one mode and is not permanently inaccessible. For the foregoing reasons, the Applicant submits that *Watt* does not teach each of the elements of claim 1 and, accordingly, reconsideration and withdrawal of the anticipation rejection of claim 1 is requested.

With regard to independent claims 5, 11 and 14, similar arguments can be made since they have similar limitations to those of claim 1. Thus, at least for the reasons mentioned above in regard to independent claim 1, these claims are also not anticipated by *Watt*. Accordingly, reconsideration and withdrawal of the anticipation rejection of claims 5, 11 and 14 based on *Watt* are requested.

With regard to claims 2-4, 6, 7 and 12-16, these claims depend from their independent claims 1, 5, 11 and 14, respectively, and incorporate the limitations thereof. Thus, at least for the reasons mentioned above in regard to these independent claims, *Watt* does not teach each of the elements of these claims. The Applicant respectfully requests the withdrawal of the rejection of claims 2-4, 6, 7 and 12-16 under 35 U.S.C. § 102(b) as anticipated by *Watt*.

#### **IV. Claims Rejected Under 35 U.S.C. § 103**

a) Claims 8-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Watt* in view of U.S. Patent Publication No. 2004/0148480 by England et al. (hereinafter “*England*”) in view of what the Examiner labels as Applicant admitted prior art (hereinafter “*AAPA*”). The Applicant respectfully disagrees for the following reasons.

To establish a *prima facie* case of obviousness: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference; (2) there must be a reasonable expectation of success; and (3) the references when combined must teach or suggest all of the claim limitations. *MPEP* § 2142. The Applicant respectfully submits that a *prima facie* case of obviousness has not been established.

In regard to claim 8, this amended claim includes the elements of “a memory controller coupled to the memory device and processor, the memory controller to store a pointer to a descriptor list table and to prevent a read of the pointer by any operating system supported process, permanently, when the pointer is in a protected mode.” The Examiner relies on *Watt* for teaching these elements of claim 8. However, *Watt* does not teach the element to prevent a read of the pointer by a process of any privilege level when the pointer is in a protected mode as discussed above. Thus, the Examiner has failed to establish how *Watt* teaches or suggests this element of claim 8. *England* or *AARP* does not cure this defect. The Examiner has not relied on and the Applicant has been unable to discern that any part of *England* or the *AAPA* that teaches or suggests this element of claim 8. Thus, the Examiner has failed to establish a *prima facie* case of obviousness for claim 8. Accordingly, reconsideration and withdrawal of the obviousness rejection of claim 8 is requested.

Claims 9 and 10 depend from independent claim 8 and incorporate the limitations thereof. Thus, at least for the reasons mentioned above in regard to independent claim 8, these claims are not obvious over the cited references. Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

**V. New Claims 17-20**

The Applicant submits new claims 17-20 herewith. Support for these claims may representatively be found in the application at page 5, paragraph 0026; page 5, paragraph 0015; page 6, paragraph 0017 and page 8, paragraph 0022.

Claims 17, 18, 19 and 20 are not anticipated or obvious over *Watt*. Claims 17, 18, 19 and 20 depend from claims 1 and 11, respectively, and incorporate the limitations thereof. Thus, for the reasons previously discussed with respect to claims 1 and 11, *Watt* does not teach or suggest a method for preventing a read of the pointer from the known location by any operating system supported process. Thus, claims 17, 18, 19 and 20 are patentable.

The Applicant respectfully requests that the Patent Office enter the new claims.

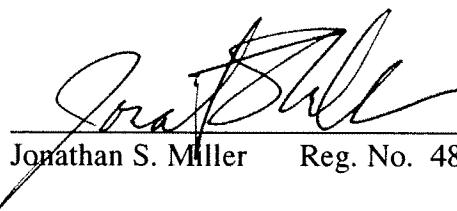
### CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 1-20, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 5/21, 2007

  
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Jonathan S. Miller

Reg. No. 48,534

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Melissa Stead  
Melissa Stead

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